

### CLAIM AMENDMENTS

1-13 (Cancelled)

14. (New) Apparatus for the anaerobic fermentation of materials with a preacidifier in which said materials are subject to a preacidification, a fermenter in which said preacidified materials ferment, and transport means for transporting said materials from said preacidifier into said fermenter, wherein said transport means are formed to selectively transport sufficiently preacidified materials.

15. (New) Apparatus according to claim 15, wherein said transport means comprise a withdrawal device for the withdrawal from the upper portion of said preacidifier, which are preferably formed by a spillway of said preacidifier or by a withdrawal nozzle end arranged in the upper portion of said preacidifier.

16. (New) Apparatus according to claim 15, wherein said transport means comprise a control device for said withdrawal device, with which said withdrawal device and preferably an agitation device such as a stirrer can be driven.

17. (New) Apparatus according to claim 14, wherein said transport means comprise a sieve.

18. (New) Apparatus according to claim 14, wherein said transport means comprise a floatation device and a withdrawal device in the lower portion of said preacidifier.

19. (New) Apparatus according to claim 18, wherein said transport means comprise a control device for said withdrawal device with which said withdrawal device and preferably said floatation device can be driven.

20. (New) Apparatus according to claim 14, wherein a mechanical pretreatment, prehackling device for

solubilizing/hackling at least part of said materials is provided.

21. (New) Method for the anaerobic fermentation of materials with a preacidification at which said materials are preacidified with a preacidifier, a fermentation at which said pre-acidified materials ferment in a fermenter, and a transport at which materials from said preacidifier are transported into said fermenter, wherein said sufficiently preacidified materials are selectively transported.

22. (New) Method according to claim 21, wherein the transport comprises letting said materials deposit themselves in said preacidifier and a subsequent withdrawal of materials from an upper portion of said preacidifier.

23. (New) Method according to claim 21, wherein said materials are guided through a sieve during the transport.

24. (New) Method according to claim 21, wherein the transport comprises a floatation and an at least partially simultaneous transport from the lower portion of said preacidifier.

25. (New) Method according to claim 21, wherein said materials comprise fluids and solids.

26. (New) Method according to claim 21, wherein at least part of said materials, particularly said solids are pretreated preferably mechanically prehackled before they are put into said preacidifier.